

REMARKS

The Examiner is thanked for the due consideration given the application.

Claims 1-2, 8, 12, 14, 16 and 18 remain in this application.

Claim 1 has been clarified so that (i) the information record medium is a non-transitory medium and (ii) various files are recorded in a non-transitory state into the information record medium.

Claims 1, 12 and 14 have been clarified so that (i) the play list information file stores a plurality of play list information, (ii) each of the plurality of play list information includes a plurality of play item information, (iii) each of the plurality of play item information including IN-point information and OUT-point information, and (iv) one object datum, which is specified by a unit of item by the play item information, can be shared by the plurality of play list information. This amendment is based on page 49 line 18 to page 51 line 22 and Figures 3, 5 to 7 and 13.

Some of the expressions in claims 16 and 28 have been amended. These amendments modify the format but do not change the scope of the invention.

No new matter is believed to be added in this application by the amendment.

Rejection Under 35 USC §101

Claims 1, 2, 8, 14 and 18 have been rejected under 35 USC §101 as being directed to non-statutory subject matter. This rejection is respectfully traversed.

The Office Action asserts that it is not clear whether the claims are directed to a transitory or a non-transitory record medium. However, the claims have been amended to be clearly drawn to a non-transitory record medium, which is plainly statutory. Also, various files are recorded in non-transitory state into the information record medium.

Incidentally, claim 14 defines not an *"information record **medium**"* but an *"information record **method**"*. In addition, claim 18 defines not an *"information record **medium**"* but an *"information reproduction **method**"*. Therefore, the subject matter of each of claims 14 and 18 is not the information record medium.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection under 35 USC §103(a)

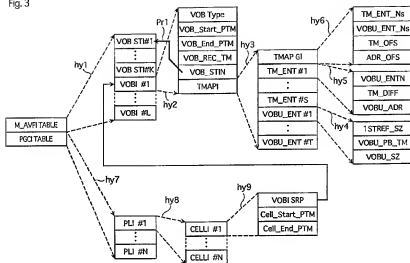
Claims 1, 2, 8, 12, 14, 16 and 18 have been rejected under 35 USC §103(a) as being unpatentable over Ninomiya (US 2002/0090197 A1) in view of Roth (USP 7,343,052). This rejection is respectfully traversed.

The present invention pertains to an information recording medium which has an object data file including the video information and the button information wherein the address of the object data is specified by an IN point information and an OUT point information.

Ninomiya does not disclose or infer at least one novel feature of the present invention where *"one object datum which is specified by a unit of item by the play item information can be shared by the plurality of play list information,"* as is set forth in the instant independent claims.

More specifically, firstly, Ninomiya does not disclose *"a plurality of play item information"*. Ninomiya discloses that (i) the PGCI (Program Chain Information) table (see paragraph 0059 and Figure 3 of Ninomiya), (ii) the PGCI table includes a plurality of play list information (see paragraph 0059 and Figure 3 of Ninomiya), (iii) each of the plurality of play list information includes a sequence of CELL 20 information (see paragraph 0059 and Figure 3 of Ninomiya, and (iv) the sequence of CELL information shows the order of the reproduction sections in the VOB (Video Object). Figure 3 of Ninomiya is reproduced below.

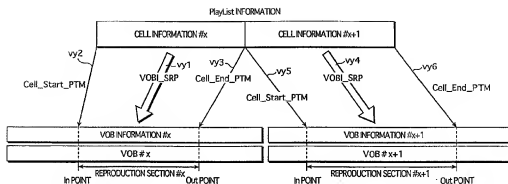
Fig. 3



Namely, Ninomiya discloses, as the hierarchy of the definition of the reproduction order, the PGCI table, play list information and CELL information.

However, Ninomiya does not disclose that one VOB which is specified by the CELL information can be shared by the plurality of play list information. For example, Ninomiya does not disclose that VOB #X (see Figure 5 of Ninomiya, reproduced below) which is specified by the CELL information #X (see Figure 5 of Ninomiya) can be shared by the play list information #1 and the play list information #N (see Figure 3 of Ninomiya).

Fig. 5



Thus, it is clear that Ninomiya does not disclose or infer the above novel feature of the present invention such that "one object data [one VOB disclosed in Ninomiya] which is specified by a unit of item by the play item information [the CELL information disclosed in Ninomiya], can be shared by the plurality of play list information [the play list information disclose in Ninomiya]".

Roth does not address the deficiencies of Ninomiya discussed above.

One of ordinary skill and creativity would thus not produce a claimed embodiment of the present invention from a knowledge of Ninomiya and Roth, and a *prima facie* case of unpatentability has thus not been made.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

The rejections have been overcome, obviated or rendered moot, and no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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